## THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:	In Proceedings for a	
PITTSBURGH CORNING CORPORATION,	) Reorganization under ) Chapter 11	
Debtor.	) Case No. 00-22876-JKF	
Debtor.	x Related to Doc. Nos. 77 7768, 7770, 7777 & 778	

# FOURTH AMENDED NOTICE OF AGENDA OF MATTERS SCHEDULED FOR CONFIRMATION HEARING ON JUNE 3, 4, 9 & 10, 2010 AT 9: 00 A.M. BEFORE THE HONORABLE JUDITH K. FITZGERALD

PARTIES WISHING TO PARTICIPATE MUST APPEAR IN PERSON.

#### I. PLAN CONFIRMATION

#### **VOLUME 1**

- 1. Modified Third Amended Plan of Reorganization of Pittsburgh Corning Corporation Dated January 29, 2009 Jointly Proposed by Pittsburgh Corning Corporation, The Official Committee of Asbestos Creditors and the Future Claimants' Representative Filed by Pittsburgh Corning Corporation (as amended) (Filed May 19, 2010) (Document No. 7704)
  - (i) Notice of Plan Proponents'
    Amendments to the Modified Third
    Amended Plan for Pittsburgh Corning
    Corporation (Filed June 8, 2010) (Doc. No. 7798)

## **VOLUME 2**

- A. Objections to Plan Confirmation
  - (a) Objection of the Non-Derivative Tort Victims to the Modified Third Amended Plan of Reorganization of Pittsburgh Corning Corporation (Filed November 11, 2009) (Doc. No. 7066)

- (b) Mt. McKinley Insurance Company's and Everest Reinsurance Company's Second Supplemental Objections to Confirmation of the Modified Third Amended Joint Plan of Reorganization for Pittsburgh Corning Corporation (Filed May 10, 2010) (Doc. No. 7658)
  - (i) Mt. McKinley Insurance Company and Everest Reinsurance Company's Objections to Confirmation of the Modified Third Amended Plan of Reorganization for Pittsburgh Corning Corporation (Filed November 18, 2009) (Doc. No. 7132)
  - (ii) Mt. McKinley Insurance Company and Everest Reinsurance Company's Supplemental Objections to Confirmation of the Modified Third Amended Plan of Reorganization for Pittsburgh Corning Corporation (Filed February 22, 2010) (Doc. No. 7487)
- (c) Objection of Garlock Sealing Technologies, LLC to Confirmation of Modified Third Amended Plan of Reorganization of Pittsburgh Corning Corporation (Filed November 6, 2009) (Doc. No. 7045)
- **B.** Responses to Objections to Confirmation
  - (a) Responses of Plan Proponents and Plan Supporters to Various Plan Objections (Related to Doc. Nos. 7045, 7066, 7067, 7125, 7132, 7133, 7137, 7138, 7142, 7146, 7189) (Filed January 15, 2010) (Doc. No. 7412)
- C. Responses to Final Objections/Supplements
  - (a) Revised and Supplemented Responses of Plan Proponents and Plan Supporters to Various Plan Objections (Filed March 15, 2010) (Doc. No. 7548)

# D. Responses to Second Supplemental Objections

(a) Plan Proponents' and Plan Supporters' Joint Response to Mt. McKinley Insurance Company's and Everest Reinsurance Company's Second Supplemental Objections to Confirmation of the Third Amended Joint Plan of Reorganization for Pittsburgh Corning Corporation (Filed May 28, 2010) (Doc. No. 7756)

#### E. Witness Lists:

- (a) Plan Proponents and Plan Supporters' Witness List for the Confirmation Hearing on the Modified Third Amended Plan of Reorganization (Filed May 14, 2010) (Doc. No. 7686)
- (b) Mt. McKinley Insurance Company's and Everest Reinsurance Company's Witness List for Plan Confirmation Hearing (Filed May 14, 2010) (Doc. No. 7685)
- (c) Final Witness List of Garlock Sealing Technologies LLC for the Confirmation Hearing Scheduled to Begin June 3, 2010 (Filed May 14, 2010) (Doc. No 7687)
- (d) Reaud Morgan Claimants' Final Witness List for the Confirmation Hearing for the Modified Third Amended Plan of Reorganization (Filed May 14, 2010) ( Doc. No. 7678)
- (e) Century Indemnity Company's Rebuttal Witness List for the Confirmation Hearing for the Modified Third Amended Plan of Reorganization (Filed May 17, 2010) (Doc. No. 7695)

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#### F. Exhibits:

Plan Proponents' and Supporters' Exhibits:

- (P-2) Solicitation Package for Second Amended Plan of Reorganization
- (P-3) Appendix identifying the Technical Amendments to the Second Amended Plan of Reorganization (which Technical Amendments were not in the Solicitation Package for the Second Amended Plan of Reorganization)
- (P-5) Yandle v. PPG Industries, et al. (January 2, 1974)
- (P-6) Elmer H. Allen, et al v. PPG Industries, et al. (April 21, 1978)
- (P-7) Wanda Allen v.PPG Industries, et al. (May 23, 1978)
- (P-8) <u>Ira Sue Albritton, et al. v. PPG</u> <u>Industries, Inc., et al.</u> (May 21, 1979)
- (P-9) L.A. Benedict, et al. v. PPG Industries, Inc. (January 26, 1979)
- (P-10) Walter L. Bircher, et al. v. PPG Industries, Inc. (April 2, 1979)
- (P-11) Johnny Bircher, et al. v. PPG Industries, et al. (April 2, 1979)
- (P-12) <u>Utah Colwell, et al. v. PPG</u> <u>Industries, Inc. et al.</u> (November 19, 1979)
- (P-13) Thomas Miles Ray, et al. v. PPG Industries, Inc., et al.
- (P-14) Margie Asbell, et al. v.
  Pittsburgh Corning Corporation,
  et al. (April 1, 1985)
- (P-15) <u>John Charles Connorty, et al. v.</u> Owens Corning Fiberglas, et al. (June 28, 1999)
- (P-16) Albert Superak v. Pittsburgh Corning Corp., et al. (March 18, 1999)

- (P-17) Series of Complaints against PPG Industries, Inc., asserting "PC-Relationships" Claims
- (P-18) Robert Abernathy v. AC&S, Inc., et al. (February 11, 2000)
- (P-19) Series of Texas Complaints naming Pittsburgh Corning Corporation, PPG Industries and Corning, Inc., alleging joint liability against Pittsburgh Corning Corporation, PPG Industries, Inc. and Corning, Inc.
- (P-20) London Shared Insurance Policy No. 78/14758/17

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- (P-21) Certain Underwriters at Lloyd's, London and Certain London Market Insurance Companies Policy No. 61576
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  Corp., et al. (Cause No. A-140, 807) (April 14, 2000)
- (P-28) Charge of the Court, <u>Jerry Sonnier</u>, <u>et al. v. Pittsburgh Corning Corp</u>, <u>et al.</u>, (Cause no. A-140-807-S), <u>Jefferson County</u>, TX [Jury Verdict]
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- (P-40) PPG Insurance Coverage Chart
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- (P-53) Black v. A&M Inst., et al., Lake County, Indiana (July 7, 1998)

- (P-54) <u>Kacarab v. A-Best Prod. Co.,</u> Inc., et al., Stark County, Ohio (May 2, 1996)
- (P-57) List of PPG Insurance Policies
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- (P-57B) Compact Disc of PPG Nonparticipating/Insolvent Insurer Policies
- (P-57C) Lloyd's Umbrella Policy 84-14758-39 (07/01/84 – 07/-01/85)
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- (P-61) Cross-Claim filed by Corhart Refractories Corp. against all defendants (July 1, 2002)
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- (P-103) PPG's Proof of Claim dated November 28, 2001
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(Filed May 19, 2010) (Doc. No. 7704)

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- (P-116) Mt. McKinley Insurance Company's Objections and Responses to PPG Industries, Inc.'s Interrogatories Directed to Mt. McKinley Insurance Company (September 29, 2009)
- (P-117) Debtors' Motion To Approve
  Settlement Among FederalMogul Corporation, FederalMogul Products, Inc., Cooper
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- (P-119) Declaration of Kathleen M.
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- 2010 (Filed April 23, 2010) (Doc. No. 7626)
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- (P-137) American Thoracic Society, "The Diagnosis of Nonmalignant Diseases Related to Asbestos" (March 1986)
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Radiological and Histopathological Evaluation" (1987)

- (P-139) Weill, "Letter to the Editor: Diagnosis of Asbestos-Related Disease" (June 1987)
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## **CENTURY INDEMNITY COMPANY'S EXHIBITS:**

C-1 10/22/2004 Notice of Appearance and Demand for Service of Papers

C-2 11/9/2004 Motion of Quigley Company, lnc. and Pfizer Inc. for: (I) an Order under Fed. R. Bankr. P. 2019(b) (A) Striking Objections of Ad Hoc Committee of Tort Victims and Reaud, Morgan & Quinn, L.L.P. to Motion for a Preliminary Injunction; and (B) Disqualifying the Members of the Ad Hoc Committee, Reaud, Morgan & Quinn, L.L.P., and Their Counsel from Representing Personal Injury Claimants in the Chapter 11 Case; and (II) for an Order Pursuant to Sections 105(a) And 1102 of the Bankruptcy Code Removing Certain Members from Serving on the Official Committee of Unsecured Creditors for Conflicts of Interest

C-3 11/15/2004 Verified Statement of Reaud, Morgan & Quinn, L.L.P. Pursuant to Rule 2019 of the Federal Rules of Bankruptcy Procedure

C-4 11/16/2004 Opposition Of The Ad Hoc **Committee Of Tort Victims To** Motion Of Quigley Company, Inc. And Pfizer, Inc. For (I) An Order Under Fed. R. Bankr. P. 2019 (b) (A) Striking Objections Of AD Hoc Committee Of Tort Victims and Reaud, Morgan & Quinn, LLP To Motion For A Preliminary Injunction: And (B) Disqualifying The Members Of The Ad Hoc Committee, Reaud, Morgan & Quinn, LLP And Their Counsel From Representing Personal Injury Claimants In This Chapter 11 Case; And (II) For An Order Pursuant To Sections 105(a) And 1102 Of The Bankruptcy Code Removing Certain Members From Serving On The Official Committee Of Unsecured Creditors For Conflicts Of Interest

C-5 11/16/2004 Reaud Morgan & Quinn, LLP's Objection to Motion of Quigley Company, Inc. and Pfizer Inc. For (I) An Order Under Fed. R. Bankr. P. 2019 (b) (A) Striking Objections Of AD Hoc Committee Of Tort Victims and Reaud, Morgan & Quinn, LLP To Motion For A Preliminary Injunction: And (B) Disqualifying The Members Of The Ad Hoc Committee, Reaud, Morgan & Quinn, LLP And Their Counsel From Representing Personal Injury Claimants In This Chapter 11 Case; And (II) For An Order Pursuant To Sections 105(a) And 1102 Of The Bankruptcy Code Removing Certain **Members From Serving On** The Official Committee Of Unsecured Creditors For Conflicts Of Interest

C-6 11/16/2004 Objection to Motion For: (I) An Order Under Fed. R. Bankr. P. 2019(a) (A) Striking Objections of the Ad Hoc Committee of Tort Victims and Reaud, Morgan & Quinn, L.L.P. to Motion for a Preliminary Injunction; and (B) Disqualifying the Members of the Ad Hoc Committee, Reaud, Morgan & Quinn, L.L.P. and Their Counsel from Representing Personal Injury Claimants in the Chapter 11 Case, and (II) For an Order Pursuant to Sections 1105(a) and 1102 of the Bankruptcy Code Removing Certain Members from Serving on the Official Committee of Unsecured Creditors for Conflicts of Interest

C-7 11/17/2004 Reply Of Pfizer Inc. And Quigley Company, Inc. To Objection Of Reaud, Morgan & Quinn, L.L.P. To Motion Of Pfizer Inc. And Quigley Company, Inc. For (I) An Order Under Fed. R. Bankr. P. 2019(b) (A) Striking Objections Of Ad Hoc

Committee of Tort Victims And Reaud, Morgan & Quinn, L.L.P. To Motion For A Preliminary Injunction; And (B) Disqualifying The Members Of The Ad Hoc Committee, Reaud, Morgan & Quinn, L.L.P., And Their Counsel From Representing Personal Injury Claimants In The Chapter 11 Case; And (II) For An Order Pursuant To Sections 105(a) And 1102 Of The Bankruptcý Code Removing Certain Members From Serving On The Official Committee Of Unsecured **Creditors For Conflicts Of** Interest

- C-8 12/10/2004 Reaud, Morgan & Quinn, LLP's Objection to Motion of Quigley Company, Inc. for an Order Under 11 USC 1121(d) Extending Exclusive Periods to File Plan of Reorganization and Solicit Acceptances Thereof
- C-9 1/20/2005 Reaud, Morgan & Quinn, LLP's Objection to Entry of the Proposed Order Requiring Compliance With Bankruptcy Rule 2019 and Granting Other Related Relief
- C-10 4/13/2005 Reaud, Morgan & Quinn, LLP's Objection to Motion of Quigley Company, Inc. for an Order Under U.S.C. 1121(d) Further Extending Exclusive Period to Solicit Acceptances of Plan of Reorganization
- C-11 4/15/2005 Reply to Objection of Reaud, Morgan & Quinn, L.L.P. and in Support of Motion for Order Under U.S.C. Section 1121(d) Further Extending Exclusive Period to Solicit Acceptances of Reorganization Plan
- C-12 7/20/2005 Reaud, Morgan & Quinn, LLP's Objection to Motion of Quigley Company, Inc. for an Order Under 11 U.S.C. 1121(d) Further Extending Exclusive

Period to Solicit Acceptances of Plan of Reorganization

C-13 7/22/2005 Reply to Objection of Reaud,
Morgan & Quinn, L.L.P. to
Motion For Order Under 11
U.S.C. Section 1121(d) Further
Extending Exclusive Period To
Solicit Acceptances of
Reorganization Plan

C-14 9/15/2005 Reaud, Morgan & Quinn, LLP's Objection to Motion of Quigley Company, Inc. for an Order: (I) Approving Quigley's Disclosure Statement; (II) Approving Solicitation Procedures, Forms of Ballots, and Manner of Notice; (III) Estimating Each Asbestos Claim at \$1.00 Solely for Voting Purposes; and (IV) Fixing Date, Time and Place for Confirmation Hearing and Deadline for Filing Objections Thereto

C-15 3/24/2006 Supplemental Verified Statement of Reaud, Morgan & Quinn, L.L.P. Pursuant to Rule 2019 of the Federal Rules of Bankruptcy Procedure

C-16 4/25/2006 Reaud, Morgan & Quinn, LLP's Objection to Confirmation of Quigley Company, Inc. Third Amended Plan of Reorganization Under Chapter 11 of the Bankruptcy Code

C-17 4/26/2006 Joinder of Reaud, Morgan & Quinn L.L.P. in Support of the Motion of the Ad-Hoc Committee of Tort Victims to Compel Disclosure of Information Necessary for the Court's Proper Assessment of Voting Methodology

C-18 5/5/2006 Joinder of Judgment Holders Represented by Reaud, Morgan & Quinn L.L.P. in Wade Freeman's First Amended Objection to Conformation of the Debtor's Third Amended Plan of Reorganization

C-19 6/2/2006 Reaud, Morgan & Quinn, LLP's Supplemental Objection to Motion of Quigley Company, Inc. for an Order Estimating Each Asbestos Claim at \$1.00 Solely for Voting Purposes

C-20 9/5/2006 Stipulation Extending Time for Reaud, Morgan & Quinn, L.L.P. To Respond to Motion For Reconsideration of Memorandum Decision And Order Estimating Asbestos Pl Claims For Voting Purposes Only

C-21 9/8/2006 Stipulation and Order Extening Time for Reaud, Morgan & Quinn, L.L.P. To Respond to Motion For Reconsideration of Memorandum Decision And Order Estimating Asbestos PI Claims For Voting Purposes Only

C-22 9/15/2006 Reaud, Morgan & Quinn, LLP's Objection to Motion of Quigley Company, Inc. and Pfizer Inc. Under Local Bankr.R. 9023-1 for Reconsideration of the Memorandum Decision and Order Estimating Asbestos Pl Claims for Voting Purposes Only

C-23 5/4/2007 Joinder of Reaud, Morgan & Quinn, L.L.P. In Support of the Motion of the Ad-Hoc Committee of Tort Victims to Appoint Trustee and Modify Temporary Injunction

C-24 7/9/2007 Joinder of Reaud, Morgan & Quinn, L.L.P. in the Objection of the Ad-Hoc Committee of Tort Victims to the Debtor's Motion (I) Approving Quigley's Fifth Amended and Restated Disclosure Statement; (II) Approving First Amended Ballot Solicitation and Tabulation Procedures Forms of Ballots, and Manner of

Notice; (III) Estimating Each Asbestos PI Claim Solely for Voting Purposes Using Amounts Set Forth in the Asbestos PI Trust Distribution Procedures; and (IV) Fixing Date, Time and Place for **Confirmation Hearing and** Deadline for Filing Objections Thereto

C-25 9/4/2008

Joinder of Reaud, Morgan & Quinn. L.L.P. in the Objection of the Ad-Hoc Committee of Tort Victims to the Quigley Company, Inc. Fourth Amended Plan of Reorganization Under Chapter 11 of the Bankruptcy Code

C-26 3/1/2010

Declaration of Elizabeth L. Friedman in Support of the Corning Insurers' Motion In Limine to Preclude the Reaud Morgan Claimants From Presenting Evidence at Confirmation and to Strike the Reaud Morgan Claimants' Plan Objection, or, In The Alternative, Motion To Compel

C-27 2/27/2004 Master Ballot for Accepting or Rejecting Second Amended Plan of Reorganization for Class 5A, 5B and 5C Asbestos Personal Injury Claims filed by Reaud, Morgan & Quinn, Inc. and Accompanying Ballots (Contained on CD-ROM)

## **VOLUME 18**

C-28 through C-42 are to be submitted by Century upon resolution of confidentiality issues

- C-28 3/15/2010 Transcript of Hearing Held on March 15, 2010 before Justice Bransten
- C-29 5/4/2010 **Letter from Fred L. Alvarez to** Justice E. Bransten
- C-30 5/12/2010 Letter from Fred L. Alvarez to Justice E. Bransten

C-31	Database CM035316- CM035889; CM035914- CM037297, CM046255- CM054582
C-32	Database CM035890- CM035913; CM037475- CM037575
C-33	Database CM046067- CM046077
C-34	Database CM046244- CM046254
C-35	Database CM046078- CM046243
C-36	Letter
C-37	Letter
C-38	Letter
C-39	Other
C-40	Document
C-41	Other
C-42	Email CM0020282-CM0020283
	VOLUME 19

## G. Pretrial Statements

- (a) Plan Proponents' and Supporters' Pretrial Statement and Memorandum of Law in Support of Confirmation of Modified Third Amended Plan of Reorganization for Pittsburgh Corning Corporation (Filed May 24, 2010) (Doc. No. 7724)
- (b) Pretrial Statement of Garlock Sealing Technologies, LLC (Filed May 24, 2010) (Doc. No. 7723)
- (c) Mt. McKinley Insurance Company's and Everest Reinsurance Company's Pretrial Statement (Filed May 24, 2010(Doc. No. 7725)
- (d) Reaud Morgan Claimants' Pretrial Statement in Respect of the Confirmation Hearing for the Modified Third Amended

Plan of Reorganization (Filed May 24, 2010) (Doc. No. 7726)

(e) The Corning Insurers' Pre-Trial Brief (Filed May 24, 2010) (Doc. No. 7727)

## **Responses Received:**

(f) The Reaud Morgan Claimants' Response in Opposition to The Corning Insurers' Pre-Trial Brief (Filed June 1, 2010) (Doc. No. 7758)

## Replies Received:

(g) Reply to the Reaud Morgan Claimants' Response in Opposition to the Corning Insurers' Pre-Trial Brief (Filed June 2, 2010) (Doc. No. 7766)

Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

#### **VOLUME 20**

- H. Designations of Testimony from Second Amended Plan Confirmation Hearing
  - (a) Plan Proponents and Supporters' Designations of Confirmation Hearing Testimony and Exhibits to be Included in Confirmation Proceedings for the Modified Third Amended Plan of Reorganization (Filed September 1, 2009)(Document No. 6882) (marked in yellow)
- I. Counter-Designations
  - (a) Mt. McKinley Insurance Company and Everest Reinsurance Company's Counter-Designations of Confirmation Hearing Testimony to be Included in Confirmation Proceedings for the Modified Third Amended Plan of Reorganization (Filed October 5, 2009)(Document No. 6940) (marked in blue)

## **VOLUME 21**

J. Debtor's Submission of "Stipulated" Findings of Fact from the Confirmation

Hearing on May 3-7, 2004 Regarding Confirmation of the Modified Third Amended Plan of Reorganization (Filed May 26, 2010) (Doc. No. 7735)

#### **VOLUME 22**

#### **II. MISCELLANEOUS MOTIONS**

2. Complaint (PPG Industries, Inc. v. Adriatic Insurance Company, et al.) (Filed May 23, 2000) (Adversary 00-2201) (Document No. 1)

Status: Stayed until after US District Court enters a final order with respect to the confirmation of the plan.

2A. Motion for Extension of Stay of Adversary Proceeding (Filed November 15, 2002) (Adversary 00-2201) (Motion No. K&L-2) (Document No. 102)

Various responses have been received. See the docket.

Status: Stayed until after US District Court enters a final order with respect to the confirmation of the plan.

3. Motion of the Tort Victims Represented by Provost Umphrey, LLP to Modify or Dissolve the Injunction Restraining Litigation Against PPG to collect Pre-Petition Judgment (Filed March 13, 2007) (Adversary 00-2161) (Document No. 361)

## **Responses Received:**

- (a) Objection of PPG Industries, Inc. to the Motion of the Tort Victims Represented by Provost Umphrey, LLP to Modify or Dissolve the Injunction Restraining Litigation Against PPG to Collect Pre-Petition Judgment (Filed April 10, 2007) (Adversary 00-2161) (Document No. 365)
- (b) Debtor's Joinder in the Objection of PPG Industries, Inc. to the Motion of the Tort Victims

Represented by Provost Umphrey, LLP to Modify or Dissolve the Injunction Restraining Litigation Against PPG to Collect Pre-Petition Judgment (Filed April 10, 2007) (Adversary 00-2161) (Document No. 366)

- (c) Supplemental Motion of the Tort Victims Represented by Provost Umphrey, LLP, to Modify or Dissolve the Injunction Restraining Litigation Against PPG to Collect Pre-Petition Judgment (Filed May 24, 2010) (Doc. No. 464)
- (d) Objection of PPG Industries, Inc. to the Supplemental Motion of the Tort Victims Represented by Provost Umphrey, LLP, to Modify or Dissolve the Injunction Restraining Litigation Against PPG to Collect Pre-Petition Judgment (Filed June 1, 2010) (Doc. No. 465)

Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

4. Motion of the Tort Victims Represented by Reaud Morgan & Quinn to Modify or Dissolve the Injunction Restraining Litigation Against PPG for Pyrocal Claims (Filed September 11, 2007) (Adversary No. 00-2161) (Document No. 382)

## Responses Received:

(a) Objection of PPG Industries Inc. to the Motion of the Tort Victims Represented by Reaud, Morgan & Quinn to Modify or Dissolve the Injunction Restraining Litigation Against PPG for Asbestos Claims (Filed October 26, 2007)(Adversary No. 00-2161) (Document No. 397)

Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

5. Motion of Tort Victims Represented by Reaud, Morgan & Quinn and Environmental Litigation Group to Modify or Dissolve the Injunction Restraining

Litigation Against Corning (Filed November 14, 2006) (Adversary 00-2161) (Document No. 294)

## Responses Received:

- (a) Corning Incorporated's Objection to the Motion of Tort Victims Represented by Reaud Morgan & Quinn and Environmental Litigation Group to Dissolve the Injunction Restraining Litigation Against Corning (Filed December 1, 2006) (Adversary 00-2161) (Document No. 305)
- (b) Pittsburgh Corning Corporation's Joinder in Corning Incorporated's Objection to the Motion of Tort Victims Represented by Reaud Morgan & Quinn and Environmental Litigation Group to Dissolve the Injunction Restraining Litigation Against Corning (Filed December 1, 2006) (Adversary No. 00-2161) (Document No. 306)

Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

6. Joint Motion to Discharge Lawrence Fitzpatrick as Legal Representative With Respect to Future Claims Not Subject to the Asbestos Permanent Channeling Injunction (Filed May 18, 2010) (Document No. 7700)

Responses Due: June 4, 2010

## Replies Received:

(a) Certification of No Objection
Regarding Document No. 7700: Joint
Motion to Discharge Lawrence Fitzpatrick
as Legal Representative with Respect to
Future Claims Not Subject to the
Asbestos Permanent Channeling
Injunction (Filed June 8, 2010) (Doc. No.
7797)

Status: This matter will be heard on June 9, 2010 at 9:00 a.m.

7. Motion of Certain Underwriters at Lloyd's London, and Certain London Market Companies for an Order Determining Effect of Plan on Non-Settling Insurers (filed November 6, 2009)(Document No. 7050)

#### **Related Documents:**

- (a) Declaration of Michael A. Shiner, Esq. in Support of the Motion of Certain Underwriters at Lloyd's, London and Certain London Market Companies for an Order Determining Effect of Plan of Non-Settling Insurers (Filed November 6, 2009) (Document No. 7051)
- (b) Lumbermens Mutual Casualty Company's Joinder to London Market Insurers' Motion for an Order Determining Effect of Plan on Non-Settling Insurers (Filed November 6, 2009) (Document No. 7052)
- (c) Argonaut Insurance Company and Northwestern National Insurance Company's Joinder to the Motion of Certain Underwriters at Lloyd's London and Certain London Market Companies for an Order Determining Effect of Plan on Non-Settling insurers (Filed November 6, 2009) (Document No. 7053)
- (d) National Casualty Company's and Great Southwest Fire Insurance Company's Joinder to London Market Insurers' Motion for an Order Determining Effect of Plan on Non-Settling Insurers (Filed November 6, 2009) (Document No. 7058)
- (e) North Star Reinsurance Corporation's Joinder to the Motion of Certain Underwriters at Lloyd's London and Certain London Market Companies for an Order Determining Effect of Plan on Non-Settling Insurers (Filed November 9, 2009) (Document No. 7059)

Response Deadline: Nov. 23, 2009

**Responses Received:** 

f) PPG Industries, Inc.'s Response to the Motion of Certain Underwriters at Lloyd's, London and Certain London Market Companies for an Order Determining Effect of Plan on Non-Settling Insurers (Filed November 23, 2009) (Document No. 7194)

- g) Joinder of the Debtor, The Legal Representative for Future Claimants, and The Official Committee of Asbestos Creditors to PPG Industries, Inc.'s Response to the Motion of Certain Underwriters at Lloyd's, London and Certain London Market Companies for an Order Determining Effect of Plan on Non-Settling Insurers (Filed November 23, 2009) (Document No. 7197)
- h) Corning Incorporated's Objection to Motion for an Order Determining Effect of Plan on Non-Settling Insurers (Filed November 23, 2009) (Document No. 7201)
- i) Memorandum of Law of the Corning Insurers in support of the London Market Insurers' Motion for Summary Judgment (Dkt # 7050) and Joinder in Request for Relief (Filed November 24, 2009) (Document No. 7206)
- j) Memorandum of Law of the Corning Insurers in Response to and in Support of Motion of Certain Underwriters at Lloyd's London and Certain London Market Companies for an Order Determining Effect of Plan on Non-Settling Insurers and Joinder in Request for Relief (Filed November 25, 2009) (Document No. 7258)
- k) The Corning Insurers Objection to the Plan Proponents' and Corning Incorporated's Joint Emergency Motion to Strike Memorandum of Law of the Corning Insurers in Support of the London Market Insurers' Motion for Summary Judgment and Joinder in Request for Relief, and (II) Request for an Expedited Hearing (Filed November 27, 2009) (Document No. 7260)

- I) Reply of Certain Underwriters at Lloyd's, London, and Certain London Market Companies in Support of Motion for an Order Determining Effect of Plan of Non-Settling Insurers (Filed November 27, 2009) (Document No. 7263)
- m) Corning Incorporated's Response to Memorandum of Law of the Corning Insurers in Response to and in Support of Motion of Certain Underwriters at Lloyd's, London and Certain London Market Companies for an Order Determining Effect of Plan on Non-Settling Insurers and Joinder in Request for Relief (Filed November 27, 2009) (Document No. 7264)
- n) Lumbermens Mutual Casualty Company's Reply to Corning Incorporated's Objections (Filed November 27, 2010)(Document No. 7262)

Status: The parties will report on the status of this matter.

8. Perry Weitz, Plaintiff, v. Century Indemnity Company, Defendant; Miscellaneous Proceeding No. MP 09-206

Status: A status conference will take place on June 9, 2010.

9. Reaud Morgan Claimants' Motion in Limine to Strike Exhibits C-1 Through C-25 and C-28 Through C-42 of Century Indemnity Company's Exhibit List for the Confirmation Hearing for the Modified Third Amended Plan of Reorganization (Filed June 1, 2010) (Doc. No. 7757)

## **Responses Received:**

(a) Century's Response in Opposition to the Reaud Morgan Claimants' Motion in Limine to Strike Exhibit C-1 through C-25 and C-28 through C-42 of Century's Exhibit List for the Confirmation Hearing (Filed June 2, 2010) (Doc. No. 7767) Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

10. The Corning Insurers' and PPG Insurers' Motion to Strike, and Objections to, The Reaud Morgan Claimants' Designations of Lee B. Grant Taken Outside the Bankruptcy (Filed June 1, 2010) (Doc. No. 7759)

Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

11. Certification of Counsel RE: The Corning Insurers' Motion in Lmine to Preclude the Reaud Morgan Claimants from Presenting Evidence at Confirmation and to Strike the Reud Morgan Claimants' Plan Objection, or in the Alternative, Motion to Compel (Filed June 2, 2010) (Doc. No. 7764)

Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

## **VOLUME 23**

- 12. Century Indemnity Company's Deposition Designations for the Confirmation Hearing for the Modified Third Amended Plan of Reorganization (Filed June 1, 2010) (Doc. No. 7760)
  - (a) Mt. McKinley Insurance Company's and Everest Reinsurance Company's Objections to Century Indemnity Company's Deposition Designations for the Confirmation Hearing for the Modified Third Amended Plan of Reorganization (Filed June 2, 2010) (Doc. No. 7779)

Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

13. Century Indemnity Company's Additional Deposition Designations for the Confirmation Hearing for the Modified Third Amended Plan of Reorganization (Filed June 2, 2010) (Doc. No. 7765)

Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

#### **VOLUME 24**

- 14. Plan Proponents' and Plan Supporters'
  Deposition Designations Excerpts from
  the Videotaped Deposition Testimony of
  Adam Kenney May 26, 2010 (Filed June 2,
  2010) (Doc. No. 7774)
- (a) Mt. McKinley Insurance Company's and Everest Reinsurance Company's Cross Designations of the Deposition Testimony of Adam Kenney (NOT FILED) (TO BE PROVIDED BY MMIC)

Status: This matter will be heard at the June 3, 2010 Confirmation Hearing.

#### **VOLUME 25**

- 15. Mt. McKinley Insurance Company's and Everest Reinsurance Company's Designations for the Confirmation Hearing on the Modified Third Amended Plan of Reorganization (NOT FILED) (Marked in blue)
- 16. Plan Proponents' and Plan Supporters'
  Counter-Designations to Mt. McKinley
  Insurance Company's and Everest
  Reinsurance Company's Deposition
  Designations for the Confirmation
  Hearing on the Modified Third Amended
  Plan of Reorganization (Filed June 8,
  2010) (Doc. No. 7796) (Marked in yellow)

Dated: June 8, 2010

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